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THE UNITED STATES OF AMERICA

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United States Patent and Trademark Office

December 08, 2004

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APPLICATION NUMBER: 60/560,865

FILING DATE: *April 08, 2004*

RELATED PCT APPLICATION NUMBER: *PCT/US04/36630*

Certified by



Jon W Dudas

Acting Under Secretary of Commerce
for Intellectual Property
and Acting Director of the U.S.
Patent and Trademark Office



22763 U.S. PTO
040804

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PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

Express Mail Label No. EV 389269647 US

22151 U.S. PTO
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040804

INVENTOR(S)

Given Name (first and middle [if any])	Family Name or Surname	Residence (City and either State or Foreign Country)
Dusan	Miljkovic	San Diego, CA

Additional inventors are being named on the _____ separately numbered sheets attached hereto

TITLE OF THE INVENTION (500 characters max)

Coffee Cherry Compositions and Methods

Direct all correspondence to:

CORRESPONDENCE ADDRESS

☐ Customer Number: 34284

☐ Firm or Individual Name

Address

Address

City State Zip

Country Telephone Fax

ENCLOSED APPLICATION PARTS (check all that apply)

☒ Specification Number of Pages 2

☐ Drawing(s) Number of Sheets _____

☐ Application Data Sheet. See 37 CFR 1.76

☐ CD(s), Number _____

☐ Other (specify) _____

METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check or money order is enclosed to cover the filing fees.

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☐ Payment by credit card. Form PTO-2038 is attached.

FILING FEE Amount (\$) 80.00

The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

☒ No.

☐ Yes, the name of the U.S. Government agency and the Government contract number are: _____

Respectfully submitted, 

SIGNATURE

TYPED or PRINTED NAME Martin Fessenmaier

TELEPHONE 714-641-5100

[Page 1 of 1]

Date 04/08/04

REGISTRATION NO. 46697

(If appropriate)

Docket Number: 100700.0033PRO

USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Provisional Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 80.00)

Complete if Known

Application Number	
Filing Date	April 8, 2004
First Named Inventor	Dusan Miljkovic
Examiner Name	
Art Unit	
Attorney Docket No.	100700.0033PRO

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit
Account
Number
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Account
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502191

Rutan & Tucker

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	80.00
SUBTOTAL (1) (\$)			80.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Martin Fessenmaier	Registration No. (Attorney/Agent)	46697	Telephone	714-641-5100
Signature		Date	April 8, 2004		

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COFFEE CHERRY COMPOSITION AND METHODS

Field of The Invention

Cosmetic compositions and methods.

5 Detailed Description

The inventors discovered that coffee cherries, portions and/or extracts thereof can be used in cosmetics, and especially in cosmetic products that are topically applied to the skin. It should be recognized that all coffee cherry products, portions and/or extracts thereof (hereinafter "coffee cherry product") are suitable for use herein.

10 However, particularly preferred compositions and methods are described in our copending International patent applications with the serial numbers PCT/US03/11950 (with the title "Low-Mycotoxin Coffee Cherry Products") and PCT/US03/11951 (with the title "Methods for Coffee Cherry Products"), which are specifically incorporated by reference herein. Further, while it is generally preferred that the coffee cherry products are low, or even devoid in mycotoxins, it
15 should be recognized that for topical use, the quantity of mycotoxins may be higher than required for nutritional products.

In generally preferred cosmetic formulations, the coffee cherry product may be in form of a freeze-dried powder, a solution, an oil, emulsion, or other form suitable for compounding into a cosmetic product, or may even be formulated for direct application without further compounding.
20 With respect to contemplated cosmetic formulations, it is generally preferred that the cosmetic formulation is topically applied to the skin, nails, and/or hair. Consequently, the particular composition and manner of application may vary considerably, and all known cosmetic compositions and/or formulations are considered suitable for use herein. For example, suitable cosmetic products include gels, creams, mousses, ointments, liquids (sprayable or otherwise
25 applied) lipstick formulations, etc., all of which may further include additional agents well known in the art. For example, suitable additional agents include detergents, antioxidants, vitamins, minerals (e.g., complexed boron), fragrance, alpha hydroxy acids, acetylated compounds (e.g., N-acetyl cysteine), etc.

While not limiting to the inventive subject matter, the inventors contemplate that coffee cherry products may exhibit numerous advantageous characteristics in topical use. Among other things, the inventors contemplate that various ingredients (*e.g.*, ferulic acid, caffeic acid, or chlorogenic acid) may act as UV protectant, and/or as antioxidant. In another example, the
5 inventors contemplate that coffee cherry products include various polysaccharides, and especially mucilage polysaccharides, which may have beneficial effect of the skin (*e.g.*, via hydration or other effect). Therefore, it should be recognized that coffee cherry products may be enriched in one or more component, or that the cosmetic product includes an extract enriched in one or more components of the coffee cherry.

10 Contemplated beneficial effects of the cosmetic products according to the inventive subject matter include improved skin tone, increased exfoliation, keratinolytic effect, reduction in wrinkles, reduction in biological and/or apparent ageing, reduction in hyperpigmentation (*e.g.*, melasma, due to UV exposure, age-related, etc.), antioxidant properties, reduction in irritation and/or inflammation, and/or improved feel (*e.g.*, increased smoothness).

15 Thus, specific embodiments and applications of coffee cherry composition and methods have been disclosed. It should be apparent, however, to those skilled in the art that many more modifications besides those already described are possible without departing from the inventive concepts herein. The inventive subject matter, therefore, is not to be restricted except in the spirit of the present disclosure. Moreover, in interpreting the specification, all terms should be inter-
20 preted in the broadest possible manner consistent with the context. In particular, the terms "comprises" and "comprising" should be interpreted as referring to elements, components, or steps in a non-exclusive manner, indicating that the referenced elements, components, or steps may be present, or utilized, or combined with other elements, components, or steps that are not expressly referenced.